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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/486,706	06/26/2000	ALWIN TIMMERMANN	1247-0861-3V	9778
29074	7590	05/28/2004	EXAMINER	
VISTEON C/O BRINKS HOFER GILSON & LIONE PO BOX 10395 CHICAGO, IL 60610			STRIMBU, GREGORY J	
			ART UNIT	PAPER NUMBER
			3634	

DATE MAILED: 05/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/486,706

Applicant(s)

TIMMERMANN, ALWIN

Examiner

Gregory J. Strimbu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10,12-15 and 17-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10,12-15 and 17-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Although the examiner does not necessarily agree with the applicant's assertions, upon further review of the application, the examiner has determined that the following rejection should be made in lieu of the previous rejection.

Claim Rejections - 35 USC § 112

Claims 12, 14, 15, 17, 18, 19, 20-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Recitations such as "the rigid double-shell box structure is more towards the interior of the vehicle" on lines 2-3 of claim 12 render the claims indefinite because it is unclear if the applicant is claiming the subcombination of a support assembly or the combination of the support assembly and the vehicle. The preamble of claim 1 implies the subcombination while the positive recitation of the vehicle on lines 2-3 of claim 12 implies the combination. Recitations such as "edge portions" on line 3 of claim 14 render the claims indefinite because it is unclear what element of the invention includes the edge portions the applicant is referring to. Recitations such as "the vehicle" on line 2 of claim 15 render the claims indefinite because it is unclear how the outer panel is to be mounted to vehicle when it appears that the outer panel is to be mounted to the door. Recitations such as "an interior" on line 2 of claim 17 render the claims indefinite because it is unclear if the applicant is referring to the interior set forth above or is attempting to set forth another interior in addition to the one set forth above. Recitations such as "jointly fixed" on line 2 of claim 19 render the claims indefinite because it is unclear to what element of the invention the first wall is fixed. Recitations such as "the door window" on line 11 of claim 23 render the claims indefinite because they lack antecedent basis.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10, 12, 14, 15, 17, 19, 23-25, 27 and 28 are rejected under 35 U.S.C.

103(a) as being unpatentable over Basson et al. in view of Renner et al. Basson et al., in figure 3A, discloses a component support assembly for a vehicle door, comprising a rigid double-shell box structure having a first wall 201 facing an interior of the vehicle and a second wall 203 facing an exterior of the vehicle, the second wall having at least first and second hollows (not numbered, but shown in figure 3A) separated by a separating member (not numbered, but shown in figure 3A), the first wall being connected to said second wall thereby forming an enclosed volume with the first hollow of the second wall and a plurality of vehicle door components 130 (see figure 3) and 110 directly mounted to the first wall so as to be located within the enclosed volume and so as to independently supported by the rigid double shell box structure, an outer panel 2, an interior lining 202 and wherein the vehicle door component 110 comprises a window lifter. Basson et al. is silent concerning a curved shape.

However, Renner et al. discloses a vehicle door comprising a window panel 8 having a curved shape which substantially corresponds to a curved shape of an inner panel 1.

It would have been obvious to one of ordinary skill in the art to provide Basson et al. with a curved shape, as taught by Renner et al., to improve the aesthetic appearance of the vehicle via the curved window panel.

Claims 13, 18, 22 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Basson et al. in view of Renner et al. as applied to claims 10, 12, 14,

15, 17, 19, 23-25, 27 and 28 above, and further in view of Finch et al. Finch et al. disclose a vehicle door comprising a body of foam 11 for side impact protection.

It would have been obvious to one of ordinary skill in the art to provide Basson et al., as modified above, with a body of foam, as taught by Finch et al., to attenuate the forces generated during side impacts.

Response to Arguments

Applicant's arguments filed March 9, 2004 have been fully considered but are moot in view of the new grounds of rejection.

Conclusion

THIS ACTION IS NOT MADE FINAL.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 703-305-3979. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703-308-2486. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "Gregory J. Strimbu". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Gregory J. Strimbu
Primary Examiner
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May 25, 2004